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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/676,147

09/29/2000

Peter Michael Gits

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02/14/2006

MARGER JOHNSON & MCCOLLOM, P.C.
210 SW MORRISON STREET, SUITE 400
PORTLAND, OR 97204

EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/676,147

Applicant(s)

GITS ET AL.

Examiner

Victor Lesniewski

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 11/17/2005 has been placed of record in the file.
2. Claims 1, 2, 6-8, 11, and 13 have been amended.
3. Claim 10 has been canceled.
4. Claims 14-17 have been added.
5. Claims 1-9 and 11-17 are now pending.
6. The applicant's arguments with respect to claims 1-9 and 11-13 have been considered but are moot in view of the following new grounds of rejection.

Continued Examination Under 37 CFR 1.114

7. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous office action has been withdrawn pursuant to 37 CFR 1.114. The applicant's submission filed on 11/17/2005 has been entered.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. Claims 1-9, 11-13, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slaughter et al. (U.S. Patent Number 6,789,077), hereinafter referred to as Slaughter, in view of Jagannathan et al. (U.S. Patent Number 6,496,871), hereinafter referred to as Jagannathan.

10. Slaughter disclosed a system in which clients can utilize search services to find spaces for the storage or retrieval of data. In an analogous art, Jagannathan disclosed a distributed agent software system that allows for the migration of objects between spaces.

11. Concerning claims 1, 6, 11, 13, 16, and 17, Slaughter did not explicitly state transferring objects from a persistent store in a Community to a persistent store in another Community as necessary. However, Jagannathan does explicitly state this feature as his system is focused on object and agent migration across spaces in object-oriented distributed systems. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Slaughter by adding the ability to transfer objects from a persistent store in a Community to a persistent store in another Community as necessary as provided by Jagannathan. Here the combination satisfies the need for a distributed computing system that allows easy and efficient process migration, in whole or in part, among distinct machines. See Jagannathan, column 5, lines 29-36.

12. Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as a computer-readable medium or a network device are rejected under the same rationale applied to the described claim.

13. Thereby, the combination of Slaughter and Jagannathan discloses:

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- <Claim 1>

A communication system, comprising: at least one community, each community comprised of: a community service to manage the communication system, wherein managing the communications system includes registering distributed, persistent stores (Slaughter, column 39, lines 11-39); at least one distributed, persistent store having publish and subscribe capability and communicating using a first protocol (Slaughter, figure 29, item 1254); and at least one double agent, operable to communicate with entities using a second protocol and the persistent store using the first protocol (Slaughter, figure 29, item 1252 and column 73, lines 38-43); and at least one non-space specific double agent, operable to communicate with persistent stores outside the community (Slaughter, figure 29, item 1250 and column 73, lines 34-36) by taking any objects from at least one persistent store in the community intended for a persistent store in another community and transferring the objects to the persistent store in another community (Jagannathan, column 12, lines 27-63).

- <Claim 2>

The communication system of claim 1, wherein the at least one double agent further comprises a universal double agent (UDA) capable of communicating with the persistent store and any entity (Slaughter, column 74, lines 11-17).

- <Claim 3>

The communication system of claim 1, wherein the at least one double agent further comprises a morphing double agent (MDA) capable of adopting characteristics to communicate with any entity (Slaughter, column 74, lines 37-40).

- <Claim 4>

The communication system of claim 1, wherein the at least one double agent further comprises at least one device specific double agent (Slaughter, column 75, lines 16-26).

- <Claim 5>

The communication system of claim 1, wherein the at least one non-space specific double agent further comprises a determination agent (Slaughter, figure 28, item 1220 and column 72, lines 35-37).

- <Claims 6, 11, 13, and 17>

A method of providing communications, the method comprising: establishing a distributed, persistent store having a publish and subscribe capability (Slaughter, column 72, lines 46-48); providing a community service to manage a communications system including the persistent store, wherein managing the communication system includes registering persistent stores and other members (Slaughter, column 39, lines 11-39); inserting an object into the persistent store, wherein the object is generated by a double agent in communication with a member of a Community requesting an action (Slaughter, column 73, lines 48-50); providing notification to subscribed members of the Community of the insertion of the object into the persistent store (Slaughter, column 51, lines 51-56); and transferring objects from the persistent store in the Community to a persistent store in another Community as necessary (Jagannathan, column 12, lines 27-63).

- <Claim 7>

The method of claim 6, wherein the method further comprises reinserting objects intended for other spaces into the persistent store (Slaughter, column 18, lines 23-37).

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- <Claims 8 and 12>

The method of claim 6 wherein the persistent store, the double agent and the subscribed members reside on at least two different computing devices (Slaughter figures 29 and 30).

- <Claim 9>

The method of claim 6 wherein the object inserted includes a wrapper addressed for a determination agent (Slaughter, column 72, lines 39-42).

- <Claim 15>

The communications system of claim 1, further comprising a Lightweight Directory Access Protocol object residing in the persistent store to provide a directory of services (Slaughter, column 37, lines 6-13).

- <Claim 16>

A method of providing communications, the method comprising: receiving a call from a first user (Slaughter, column 73, lines 43-45); using a double agent to generate an object representing the call, wherein the object identifies a called party (Slaughter, column 73, lines 45-48); inserting the object into the persistent store (Slaughter, column 73, lines 48-50); providing notification to subscribed members of the Community of the insertion of the object into the persistent store (Slaughter, column 51, lines 51-56); determining that the object is unresolvable by any member of the community (Jagannathan, column 11, lines 41-48); transferring the object from the persistent store in the Community to a persistent store in another Community (Jagannathan, column 12, lines 27-63); resolving

the object in the other community (Jagannathan, column 10, lines 53-57); and sending a call notification to the called party (Slaughter, column 51, lines 51-56).

Since the combination of Slaughter and Jagannathan discloses all of the above limitations, claims 1-9, 11-13, and 15-17 are rejected.

14. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Slaughter in view of Jagannathan, as applied above, further in view of Bahlmann (U.S. Patent Number 6,487,594).

15. The combination of Slaughter and Jagannathan disclosed a system in which clients can utilize search services to find spaces for the storage or retrieval of data and in which the data objects can be migrated between spaces. In an analogous art, Bahlmann disclosed a policy management system for Internet service providers.

16. Concerning claim 14, the combination of Slaughter and Jagannathan did not explicitly state utilizing Dynamic Host Configuration Protocol objects in a persistent store. However, Bahlmann does explicitly state this feature as his system utilizes DHCP in managing the services of service providers throughout the system. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Slaughter and Jagannathan by adding the ability to utilize Dynamic Host Configuration Protocol objects in a persistent store as provided by Bahlmann. Here the combination satisfies the need for a distributed computing system that allows easy and efficient process migration, in whole or in part, among distinct machines. See Jagannathan, column 5, lines 29-36.

17. Thereby, the combination of Slaughter and Jagannathan discloses:

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- <Claim 14>

The communications system of claim 1, further comprising a Dynamic Host Configuration Protocol object residing in the persistent store to provide network addresses to members of the community (Bahlmann, column 7, lines 30-42).

Since the combination of Slaughter, Jagannathan, and Bahlmann discloses all of the above limitations, claim 4 is rejected.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Williams (U.S. Patent Number 6,591,272) disclosed a method wherein the contents of databases are translated into objects and the objects are transmitted to other computers.
- Nusbickel (U.S. Patent Number 6,868,543) disclosed a method for establishing location transparent event handling that uses a notifier object executed in a first process address space and listener objects to be notified upon event occurrences.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.

The examiner can normally be reached on Monday through Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Victor Lesniewski
Patent Examiner
Group Art Unit 2152



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER